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From-Morgan Lewis Chicago

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MEMO ENDORSED

November 7, 2007

VIA FACSIMILE: 914.390.4152

The Honorable Judge Kenneth M. Karas
United States Court Southern District of New York
United States Courthouse
300 Quarropas St., Chambers 533
White Plains, NY 10601-4150

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**Re: *Noble v. Career Education Corporation* (Case No. 7:07-cv-05832-KMK-GAY)
(S.D.N.Y.)**

Dear Judge Karas:

We represent the Defendant Career Education Corporation ("CEC" or "Defendant") in the above-referenced lawsuit. On November 6, 2007, Kirsten Milton Evans, a Morgan, Lewis & Bockius, LLP ("Morgan Lewis") associate, was granted permission by this Court's clerk, Mike, to send this correspondence via facsimile.

On October 3, 2007, this Court scheduled a pre-motion conference for Friday, November 16, 2007 at 11 a.m. Since that time, the New York State Division of Human Rights recently scheduled a final pre-trial conference for Friday, November 16, 2007 at 12 p.m. out on Long Island, which I must attend. Although I am attempting to reschedule the pre-trial conference, it is unlikely that the conference will be rescheduled given the upcoming trial.

Given the time and location of the two conferences, it would be impossible for me to appear in-person for both conferences. Accordingly, Defendant respectfully requests that it be allowed to participate in this Court's pre-motion conference telephonically, or in the alternative, that this Court reschedule the pre-motion conference. Defendant spoke to Plaintiff's counsel to inquire whether he would agree to Defendant's appearance by telephone. Plaintiff's counsel stated that he was not opposed to Defendant appearing by telephone.


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November 7, 2007

Page 2

Thank you for your attention to this matter.

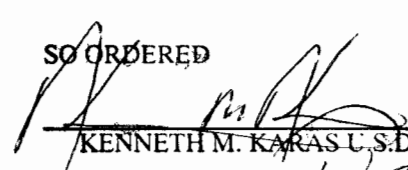
Respectfully submitted,


Amber Kagar, Esq.

cc: Stephen Bergstein, Esq.
Kirsten Milton Evans, Esq.

The new pre-motion conference is November 29, 2007
at 2pm.

SO ORDERED


KENNETH M. KARAS U.S.D.J.

11/7/07